



DEPARTMENT OF THE NAVY
OFFICE OF CIVILIAN HUMAN RESOURCES
614 SICARD STREET SE SUITE 100
WASHINGTON NAVY YARD, D.C. 20374-5072

5720
1 November 2022

Via E-mail

Mr. Louis Juers
Email: Louis.Juers@outlook.com

SUBJECT: Freedom of Information Act Request DON 2022-012721

Dear Mr. Juers:

I am responding to the September 9, 2022 Freedom of Information Act (FOIA) request, which you submitted to the FOIAonline site. The request was assigned to the Office of Civilian Human Resources on the same day. Your request seeks the following information:

Good morning, I am requesting ICE comment information and responses provided in the ICE system. I wish to receive all ICE comments submitted against the "OCHR HRO Yokosuka" office located on Yokosuka Naval Base (Japan) between the times of 01 August 2022 through 09 September 2022. With each ICE Comment submitted I wish to know which comment requested a response. For all comments that requested a comment, I am requesting the comments that were submitted by the responding representative of the OCHR Office via the ICE system. If email responses were provided to the respondent then I would also request a copy of said email with date of response and response provided.

FOIA does not require agencies to perform research, analyze data, answer questions, or create records in order to respond to a request. Within those parameters, I am forwarding the following responsive document with respect to your request: a redacted email.

I have conducted an individualized assessment concerning the redacted information. Information regarding the name, address and contact information of the DoD employees mentioned in the email correspondence has been withheld under 5 U.S.C. § 552 (b)(6), to protect privacy interests. See Seife v. Dep't of State, 298 F. Supp. 3d 592, 628 (S.D.N.Y. 2018) (finding privacy interest in DOD names to be stronger than public interest in disclosure for DOD personnel holding military rank of Colonel or below, or holding General Schedule rank of GS-15 or below); Am. Mgmt. Servs., LLC v. Dep't of the Army, 842 F. Supp. 2d 859, 864 n.4 (E.D. Va. 2012) (holding that DOD employees have a "substantial privacy interest" in their names and contact information), *aff'd* on other grounds, 703 F.3d 724 (4th Cir. 2013); Schoenman v. FBI, 575 F. Supp. 2d 136, 160 (D.D.C. 2008) (stating that "since the attacks, as a matter of official policy, the DoD carefully considers and limits the release of all names and other personal information concerning military and civilian personnel, based on a conclusion that they are at increased risk regardless of their duties or assignment to such a unit"). I note that you did not assert nor demonstrate any public benefit to the disclosure of the employees' names or contact information.

Appeal Rights

Because your request has been partially denied (*e.g.*, employees' names and contact information) you may consider this to be an adverse determination that may be appealed. If you have created an account in FOIAonline, you may submit your appeal directly within the web-based system. To do this, log into your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you do not have a FOIAonline account, you may send an appeal by regular mail to the Department of the Navy, Office of the General Counsel (ATTN FOIA APPEALS), 1000 Navy Pentagon, Room 5A532, Washington, DC 20350-1000. Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted. I recommend that your appeal and its envelope bear the notation 'Freedom of Information Act Appeal.'

The assessable fees associated with the processing of your request by this office have been waived in this instance.

Sincerely,

Alison Gray

ALISON GRAY
Counsel
By direction

Enclosure